

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

No. 3:12-cv-02265-SI

Plaintiff.

[PROPOSED] ORDER

v.

CITY OF PORTLAND,

Defendant.

Natalie K. Wight, United States Attorney; Jared D. Hager, Assistant United States Attorney, UNITED STATES ATTORNEY'S OFFICE, DISTRICT OF OREGON, 1000 SW Third Avenue, Suite 600, Portland, OR 97204; Laura Cowall, Deputy Chief; R. Jonas Geissler and Amy Senier, Trial Attorneys, Special Litigation Section; Civil Rights Division, UNITED STATES DEPARTMENT OF JUSTICE, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530. Of Attorneys for Plaintiff.

Robert Taylor, City Attorney; Heidi Brown, Chief Deputy City Attorney; SreeVamshi Reddy and Sarah Ames, Deputy City Attorneys, OFFICE OF THE CITY ATTORNEY, 1221 SW Fourth Avenue, Room 430, Portland, OR 97204. Of Attorneys for Defendant.

Anil S. Karia, PUBLIC SAFETY LABOR GROUP, P.O. Box 12070, Portland, OR 97212. Of Attorneys for Intervenor-Defendant Portland Police Association.

J. Ashlee Albies, ALBIES, STARK & GUERRERO, 1 SW Columbia Street, Suite 1850, Portland, OR 97204; Kristen A. Chambers, PRISM LEGAL LLC, 3519 NE 15th Avenue, Suite 424, Portland, OR 97212. Of Attorneys for Enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform.

Juan Chavez, Project Director and Attorney; Franz Bruggemeier and Amanda Lamb, Attorneys, OREGON JUSTICE RESOURCE CENTER, P.O. Box 5248, Portland, OR 97204. Of Attorneys for *Amicus Curiae* Mental Health Alliance.

Michael H. Simon, District Judge.

On February 25, 2022, Plaintiff United States of America (United States) filed an unopposed Motion (ECF 276) to amend the Settlement Agreement (Agreement) that was previously entered as an Order of this Court (ECF 99). The original version of the Agreement (ECF 4-1) has been amended twice following Fairness Hearings and this Court's determinations that the proposed amendments are fair, adequate, and reasonable. This Court approved a first set of amendments to the Agreement on May 15, 2018 (ECF 171), and a second set on September 23, 2021 (ECF 262).

On April 29, 2022, the Court held a Fairness Hearing to evaluate a third set of amendments to the Agreement, which added Section XI – Addendum of Additional Remedies. The Court received written and oral submissions from the United States, Defendant City of Portland (City), Intervenor Portland Police Association (PPA), enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC), *Amicus Curiae* Mental Health Alliance (MHA), and many members of the public, before and during the hearing. At the end of the hearing, the Court orally approved the amendments as fair, adequate, and reasonable, and entered a related Minute Order (ECF 290) granting the Motion.

On November 9, 2022, the Court held an Interim Status Conference and received submissions from the United States, City, PPA, AMAC, MHA, and many members of the public. The Court was advised that it had not yet entered the amended Agreement as an Order of the Court.

Accordingly, after reviewing the proposed amendments, related pleadings, oral argument, and public comment, the Motion (ECF 275) is hereby GRANTED as follows:

The Court ORDERS that the proposed amendments to the Agreement (ECF 275-1) are APPROVED.

The Court ORDERS that the Amended Settlement Agreement attached hereto shall be and is entered as an Order of the Court, superseding the versions of the Agreement (ECF 4-1, ECF 171, and ECF 262-1) previously entered in this matter.

The Court ORDERS that, except for entering the Amended Settlement Agreement attached hereto, the provisions of this Court's July 30, 2015 Amended Order Entering Settlement Agreement, Conditionally Dismissing Litigation, and Setting First Annual Status Conference (ECF 99) otherwise remain in force. For the sake of clarity, where that Order references the Community Oversight Advisory Board (COAB), which was succeeded by the Portland Committee on Community Engaged Policing (PCCEP), the Court intends the Order to apply to the PCCEP.

IT IS SO ORDERED.

DATED this ____ day of _____, 2023.

Michael H. Simon
United States District Judge